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October 12, 2023

Via email: ChambersofJudgeChadFKenney@paed.uscourts.gov

The Honorable Judge Kenney
United States District Court for the Eastern District of Pennsylvania
601 Market Street
Philadelphia, PA 19106

**Re: ESTATE OF ROILE GARCIA, ET AL. v. U.S. XPRESS ENTERPRISES, INC., ET AL.
USDC NO. 2:22-CV-00723-CFK**

Dear Judge Kenney:

Please allow this correspondence to serve as a joint request from Counsel for Pilot Travel Centers, US Xpress and Zerrio Winters to amend the current scheduling order. Counsel for Plaintiff advises that he does not object to this request but is not officially joining in the request. Counsel respectfully requests the extension of the current deadlines as the parties are engaging in a Mediation on November 7th with Jerry Roscoe at JAMS. The scheduled mediation date was the earliest date the parties could coordinate with the agreed upon mediator. The parties wish to focus our energies on the Mediation and appropriate submissions for same in an effort to move this matter toward resolution. Should the matter not resolve at Mediation, then the parties will turn the focus to preparing this matter for trial. As such, Counsel respectfully requests an amendment to the scheduling order as follows:

- Expert depositions shall be completed by November 17, 2023.
- Any motions for summary judgment and *Daubert* motions shall be filed by November 21, 2023, at 12 pm. Response(s) to any such motion shall be filed within twenty-one (21) days after service.
- All trial exhibits shall be marked and exchanged on or before December 1, 2023.
- Motions in limine shall be due by 12:00 pm on December 15, 2023. The responses to any motions in limine shall be filed and served within seven (7) days.

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- All parties are to prepare and file with the Clerk of court their Final Pretrial Memoranda, which must include proposed voir dire and verdict slip and the information required by Local Rule of Civil Procedure 16.1(c) on or before January 5, 2024.
- A date certain jury trial will commence on January 16, 2024.

Thank you for your continued courtesies and consideration of this request.

Respectfully,

Meghan Henry

Meghan F. Henry, Esq

Counsel for Pilot Travel Centers, LLC

Cc: All counsel of record